

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FORESEE RESULTS, INC.)	
)	
Plaintiff,)	Civil Action Nos. 11-CV-3886
v.)	
)	The Hon. Ronald A. Guzman
LODSYS, LLC.)	
)	
Defendant.)	

STIPULATED MOTION TO TRANSFER VENUE

Pursuant to 28 U.S.C. § 1404(a), Plaintiff ForeSee Results, Inc. (“ForeSee”) and Defendant Lodsys, LLC (“Lodsys”) hereby stipulate to, and respectfully request, transfer of venue to the United States District Court for the Eastern District of Wisconsin, and in support thereof, respectfully state as follows:

1. On June 7, 2011, ForeSee filed its Complaint for Declaratory Judgment (the “Complaint”) against Lodsys in this District. (Dkt. No. 1.)

2. On July 5, 2011, Lodsys moved to dismiss the Complaint for lack of personal jurisdiction and improper venue. (Dkt. No. 14.)

3. On July 22, 2011, ForeSee moved for jurisdictional discovery. (Dkt. No. 29.)
On July 26, 2011, this Court granted that motion. (Dkt. No. 32.)

4. The parties have since worked in a cooperative manner during the discovery process to resolve certain discovery disputes, and also engaged in good faith discussions concerning alternatives to a protracted jurisdictional dispute. In view of those discussions, the parties have decided to forego completion of jurisdictional discovery and briefing on Lodsys’s motion to dismiss in favor of transferring this case to the Eastern District of Wisconsin. The parties have reached this agreement without waiving their respective positions on whether

jurisdiction and venue are proper in this District.

5. The Eastern District of Wisconsin is a District in which ForeSee's Complaint against Lodsys could have been filed.

6. Transferring this case to the Eastern District of Wisconsin will promote the interests of justice and judicial economy, rather than continuing to litigate the issue of jurisdiction and venue in this District.

7. The parties reserve all rights and arguments concerning whether venue would be more appropriate in the Eastern District of Texas.

Accordingly, the parties hereby stipulate and agree to transfer venue to the United States District Court for the Eastern District of Wisconsin, and respectfully request that this Court enter an order effectuating that transfer. The parties also stipulate and agree that all motions pending in this action shall be deemed withdrawn upon entry of the Court's Order transferring venue. The parties further stipulate and agree that Lodsys shall have thirty (30) days to answer or otherwise respond to ForeSee's Complaint following docketing of this transferred action in the Eastern District of Wisconsin.

Dated: October 24, 2011

Respectfully submitted,

FORESEE RESULTS, INC.

By: /s/ Brent A. Hawkins

Brent A. Hawkins

Brett B. Bachtell

MCDERMOTT WILL & EMERY, LLP

227 West Monroe Street

Chicago, Illinois 60606-5096

Michael E. Shanahan

MCDERMOTT WILL & EMERY, LLP

340 Madison Avenue

New York, NY 10173

Telephone: (212) 547-5400

Facsimile: (212) 547-5444

Attorneys for Plaintiff ForeSee, Inc.

By: /s/ William W. Flachsbart

William W. Flachsbart

Michael R. La Porte

FLACHSBART & GREENSPOON, LLC

333 N. Michigan Avenue, Suite 2700

Chicago, IL 60601

Michael Goldfarb

Christopher M. Huck

KELLEY, DONION, GILL, HUCK & GOLDFARB,
PLLC

701 Fifth Avenue, Suite 6800

Seattle, WA 98104

Attorneys for Defendant Lodsys, LLC